

IN THE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RONALD SHAMON and PATRICIA
SHAMON,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendants.

CASE NO.: 04-CV-11674-WGY

**ASSENTED TO MOTION FOR EXTENSION OF TIME TO ANSWER OR
OTHERWISE RESPOND TO THE COMPLAINT**

Now comes the defendant, United States of America,¹ and hereby moves this Court for an extension of time up to and including November 18, 2004, to answer or otherwise respond to Plaintiff's complaint. As good cause therefor, the undersigned avers that the brief extension is needed in order for counsel to complete the factual research necessary to answer or otherwise respond to the allegations in plaintiff's Complaint. In accordance with Local Rule 7.1(a)(2), the

¹ This motion is not intended to be a responsive pleading. By the filing of this motion, Defendant is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. Defendant intends to raise those defenses when it answers or otherwise responds to the Complaint.

undersigned conferred with plaintiff's counsel and plaintiff assents to this request and the relief sought therein.

Respectfully submitted,

By their attorney,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/Barbara Healy Smith
Barbara Healy Smith
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3263

Dated: October 8, 2004

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that on October 8, 2004, she contacted plaintiff's counsel, regarding the grounds for and relief requested by this motion and Plaintiff assents to both.

/s/ Barbara Healy Smith
Barbara Healy Smith
Assistant U.S. Attorney